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IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 870/1999

RAMNARAYAN VS. SMT. LADA

Date: 04.01.2007

HON'BLE MR. K.S. RATHORE, J.

Mr. Virendra Singh for
Mrs. Alka Bhatnagar for the petitioner.
Mr. Reashm Bhargava for the respondent.

This revision petition is preferred against the judgment dated 19.11.99 passed by the appellate Court in Criminal Appeal No. 20/98 and the judgment dated 14.09.98 passed by the trial Court.

Vide judgment dated 14.09.98 passed by the trial Court, the petitioner was hold guilty for the offence under Section 494 IPC and sentence of simple imprisonment for two years and a fine of Rs. 500/-, in default of payment of fine to further undergo one month's simple imprisonment has been awarded to the petitioner. Against the said judgment dated 14.09.98 the accused-petitioner preferred an appeal and in appeal the appellate Court vide its judgment dated 19.11.99 while giving the benefit of probation to the petitioner under Section 4(1) of the Probation of

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Offenders Act, waived the sentence of two years and enhanced the amount of fine from Rs. 500/- to Rs. 5,000/-. This judgment is under challenge in this revision petition.

I have heard rival submissions of the respective parties and carefully perused the impugned judgment passed by the trial Court dated 14.09.98 as well as the judgment dated 19.11.99 passed by the Appellate Court.

Upon perusal of the relevant record, I find no illegality in the judgment dated 19.11.99 passed by the appellate Court, by which only amount of fine has been enhanced from Rs. 500/- to Rs. 5,000/- and sentence of two years has been waived after giving benefit of probation under the Probation of Offenders Act and the same requires no interference by this Court.

Consequently, the revision petition fails and the same is hereby dismissed.

(K.S. RATHORE), J.

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